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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,821	01/16/2004	Aram Garabedian	426.58	7128
27019	7590	11/14/2005	EXAMINER	
THE CLOROX COMPANY 1221 BROADWAY PO BOX 2351 OAKLAND, CA 94623			EL ARINI, ZEINAB	
			ART UNIT	PAPER NUMBER
			1746	

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/758,821	Applicant(s) GARABEDIAN ET AL.	
	Examiner Zeinab E. EL-Arini	Art Unit 1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/16/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5-7, 12,16-33, and 35-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 is indefinite and confusing, because it is not clear if the amount of the anionic surfactant and a solvent are greater than 0.1% of the cleaning composition.

In claims 12, 17, 22, 27, and 35, line 1, "the foam" lacks antecedent basis.

Claim 16 is incomplete, because the components of the cleaning composition have not been recited.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 and 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 02/055650 (WO'650) or Scialla et al. (5,928,384).

WO'650 discloses a method of cleaning carpets comprising applying an aerosol carpet cleaning composition to the carpet, wiping the carpet with disposable cleaning substrate, and allowing the carpet to dry. The reference discloses the cleaning

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composition comprises surfactants and solvent as claimed. The reference also discloses the cleaning substrate comprises nonwoven material as claimed. See page 3, lines 17-21, page 4, lines 8, 20-21, page 6, lines 25-26, page 8, lines 1-2, and page 13, lines 17-23. Re claim 8, the cleaning implement is inherent in WO'650.

Scialla et al. disclose a method of cleaning carpets comprising applying an aerosol carpet cleaning composition to the carpet; wiping the carpet; and allowing the carpet to dry. The reference discloses the cleaning composition comprises the surfactant, and solvent as claimed. The reference discloses the cleaning implement as claimed. See col. 8, lines 33-63, and claims 4 and 6.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-7, 10-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO'650 or Scialla et al. in combination with WO 02/06435 (WO'435) and Policicchio et al. (6,663,306).

WO'650 and Scialla et al. as discussed supra do not teach the ratio of anionic surfactant to solvent, the absorbency, the time to break the foam, the penetration step, the foam density and the article of manufacture as claimed.

WO'435 discloses carpet cleaners comprising surfactant, solvent, and the time to break the foam as claimed.

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It would have been obvious for one skilled in the art to use the time taught by WO'435 in the WO'650 or Scialla et al. process to improve the cleaning process by reducing the time for cleaning .

Policicchio et al. disclose cleaning composition, pad, wipe implement system and method of use thereof. The reference discloses the cleaning composition, cleaning implement for cleaning surfaces such as floor, the instruction, and the absorbent capacity as claimed. See col. 55, lines 34-52, col. 56, lines 25-48, col. 64, line 63- col. 65, line 2, and col. 72, lines 57-64, col. 91, lines 1-33, col. 7, lines 41-67, and the claims..

It would have been obvious for one skilled in the art to use the article of manufacture and the absorbent capacity taught by Policicchio et al. in the process taught by WO'650 or Scialla et al. to shorten the time of cleaning and to improve the cleaning process. This is also because the implement as taught by WO'650 or Scialla et al. is equivalent to the Policicchio et al. implement. One skilled in the art would adjust the concentration and the ratio to obtain optimum results. The penetration step is inherent in the cited references. One skilled in the art would adjust the foam density to obtain optimum results.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeinab E. EL-Arini whose telephone number is (571) 272-1301. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Zeinab E. EL-Arini
Zeinab E. EL-Arini
Primary Examiner
Art Unit 1746

ZEE
11/09/05